

ENTERED

June 14, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

ABELARDO SANCHEZ-HERNANDEZ, §

Petitioner, §

VS. §

CIVIL ACTION NO. 7:22-cv-00108 §

J.E. "EDDIE" GUERRA, Sheriff, Hidalgo §
County Adult Detention Center, §

Respondent. §

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is Petitioner Abelardo Sanchez-Hernandez's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241, which had been referred to the Magistrate Court for a report and recommendation. On May 9, 2022, the Magistrate Court issued the Report and Recommendation,¹ recommending that the petition be **DENIED** and that Petitioner's claims be **DISMISSED**. The time for filing objections has passed and no objections have been filed.

Pursuant to Federal Rule of Civil Procedure 72(b), the Court has reviewed the Report and Recommendation for clear error.² Finding no clear error, the Court adopts the Report and Recommendation in its entirety. Accordingly, the petition is hereby **DENIED**, and Petitioner's claims are **DISMISSED**.

IT IS SO ORDERED.

DONE at McAllen, Texas, this 14th day of June 2022.



Micaela Alvarez

United States District Judge

¹ Dkt. No. 3.

² As noted by the Fifth Circuit, "[t]he advisory committee's note to Rule 72(b) states that, '[w]hen no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.' " *Douglas v. United States Service Auto. Ass'n*, 79 F.3d 145, 1420 (5th Cir. 1996) (quoting Fed. R. Civ. P. 72(b) advisory committee's note (1983)) *superseded by statute on other grounds by* 28 U.S.C. § 636(b)(1), *as stated in ACS Recovery Servs., Inc. v. Griffin*, No. 11-40446, 2012 WL 1071216, at *7 n. 5 (5th Cir. April 2, 2012).